

March 2, 2021 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Oswald, Supervisors Rohwedder, Schlarmann, Swisher, and Zirkelbach.

Moved by Rohwedder seconded by Schlarmann to approve the minutes of the March 2, 2021 meeting. All aye. Motion carried.

Moved by Schlarmann seconded by Swisher to approve claims #2103-0001 through #2103-0145, with the exception of Community Service's claim #2103-0033, in the amount of \$149.98, payable to Amazon Capital Services as the claim did not have an invoice statement attached. All aye. Motion carried.

The Emergency Management Coordinator met with the Board to discuss availability of gloves, syringes, and other supplies for vaccine clinics.

The Public Health Coordinator met with the Board to provide an update on the COVID-19 public health emergency. The Public Health Coordinator gave an update on the number of active COVID-19 cases in the County and an update on vaccine clinics.

The JETS Director met with the Board to provide an updated driver policy and to discuss facility maintenance issues.

Moved by Zirkelbach seconded by Schlarmann to approve the updated JETS Driver Policy. All aye. Motion carried. [2021-022]

Moved by Zirkelbach seconded by Swisher to acknowledge receipt of a manure management plan from Lone Tree Farms, LLC, facility #69556, for a facility located in Section 25 of Wayne Township, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

Moved by Rohwedder seconded by Schlarmann to acknowledge receipt of a manure management plan from Two B's Pork, LLC, facility #67755, for a facility located in Section 31 of Wyoming Township, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

Supervisor Swisher introduced the following resolution, seconded by Supervisor Rohwedder. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Zirkelbach aye, Oswald aye, whereupon the Chairman declared the resolution passed and adopted.

RESOLUTION ASSESSING COSTS OF DELINQUENT SEWER UTILITY FEES

Whereas, pursuant to the authority granted in Chapter 5, the Private and Public Sewage Disposal Systems Rules, of Title V – Public Order, Safety & Health, of the Jones County Code of Ordinances, and further granted in 28E and 28F of the Code of Iowa, and in accordance to the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of November 4, 2009, the EIRUSS has certified a notice to the Jones County Board of Supervisors, dated January 25, 2021, reflecting delinquent user fees for the Fairview sanitary sewer system; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied; and

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on January 28, 2021 notifying them of the delinquent accounts and that if the accounts remained delinquent on February 28, 2021 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

Name & Mailing Address of Delinquent Utility Account	Owner Name and Address of Property with Delinquent Utility Account	Tax Parcel and brief legal description	Delinquent Amount due
Bluff Ridge Contracting 23131 County Rd. E34 Anamosa IA 52205	Weber, Theodore J. 23131 County Rd. E34 Anamosa IA 52205	09 17 480 003 FAIRVIEW LOTS 1,2,7,8 BLK 16 & 1.5A SE COR SE SE	\$297.00 Services billed September 1, 2020 through November 30, 2020
Robinson, Patty 23043 County Rd. E34 Anamosa IA 52205	Robinson, Patty K. 23043 County Rd. E34 Anamosa IA 52205	09 17 477 003 SPEIRS ADD S 124' N 224' LOT 2	\$297.00 Services billed September 1, 2020 through November 30, 2020
Ellison, William 23105 Co Rd. E34 Anamosa IA 52205	Gerst, Linda J. & Robert 23105 Co. Rd. E34 Anamosa IA 52205	09 17 479 009 FAIRVIEW BLK 23, 24, 25, 26 LOTS 3-6, BLK 16, LOTS 3-4 BLK 27	\$297.00 Services billed September 1, 2020 through November 30, 2020
Gerst, Linda J. & Robert 1226 Sandhurst Dr. Buffalo Grove IL 60089	Gerst, Linda J. & Robert 23111 Co. Rd. E34 Anamosa IA 52205	09 17 479 009 FAIRVIEW BLK 23, 24, 25, 26 LOTS 3-6, BLK 16, LOTS 3-4 BLK 27	\$297.00 Services billed September 1, 2020 through November 30, 2020

Supervisor Zirkelbach introduced the following resolution, seconded by Supervisor Schlarman. On roll call vote: Schlarman aye, Swisher aye, Rohwedder aye, Zirkelbach aye, Oswald aye, whereupon the Chairman declared the resolution passed and adopted.

**RESOLUTION ASSESSING COSTS
OF DELINQUENT WATER AND/OR SEWER UTILITY FEES**

Whereas, in accordance with the 28E agreement between Jones County, Iowa, and the Eastern Iowa Regional Utility Service System (EIRUSS), bearing the date of June 2, 2015, the EIRUSS has certified a notice to the Jones County Board of Supervisors, dated January 25, 2021, reflecting delinquent user fees for the Center Junction water and sanitary sewer systems; and

Whereas, said notice certifies the account holder(s) identified below as having failed to satisfy the account balance(s) shown below for water and/or sanitary sewer user fees after having been mailed monthly notices by the EIRUSS, and said accounts remain past due and unsatisfied.

Whereas, the owners of said properties were mailed notices by the Jones County Auditor on January 28, 2021 notifying them of the delinquent accounts and that if the accounts remained delinquent on February 28, 2021 the Jones County Board of Supervisors would consider action to place a lien on the respective properties.

Now therefore, be it resolved that the Jones County Board of Supervisors do hereby certify the delinquent account holder(s) and premise(s) shown below to the County Treasurer for the imposition of a lien upon said real estate so that same may be collected in the same manner as property taxes.

Name & Mailing Address of Delinquent Utility Account	Owner Name and Address of Property with Delinquent Utility Account	Tax Parcel and brief legal description	Delinquent Amount due
Leytem, David PO Box 22 Center Junction IA 52212	Leytem, David & Pamela 12601 Prospect St. Center Junction IA 52212	11 04 178 010 O.T. S ½ LOTS 16, 17, 18, 19, 20, BLK 29 CENTER JUNCTION	\$322.80 Services billed September 1, 2020 through November 30, 2020
Leytem, David & Josh	Leytem, David & Pamela	11 04 179 001	\$322.80

PO Box 22 Center Junction IA 52212	10643 1 st St. Center Junction IA 52212	O.T. LOTS 6-10, BLK 34 CENTER JUNCTION	Services billed September 1, 2020 through November 30, 2020
Stingley, Tom PO Box 47 Center Junction IA 52212	Stingley, Thomas D. 10702 Midland St. Center Junction IA 52212	11 04 102 004 COM 35' E OF ST. PAUL ST. ON S LINE R.R. TH N 335'	\$322.80 Services billed September 1, 2020 through November 30, 2020
Valentine, Nate PO Box 92 Center Junction IA 52212	Valentine, Nathan A. 12450 St. Paul St. Center Junction IA 52212	11 04 304 004 O.T. LOT 4, BLK 44 CENTER JUNCTION	\$437.22 Services billed September 1, 2020 through November 30, 2020
Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	Willcoxson, Jerry 10657 Main St. Center Junction IA 52212	11 04 161 003 O.T. LOTS 4 & 5, BLK 28 CENTER JUNCTION	\$322.80 Services billed September 1, 2020 through November 30, 2020
Williams, Randy PO Box 83 Center Junction IA 52212	Williams, Randy 12653 Davenport St. Center Junction IA 52212	11 04 153 004 O.T. LOTS 7, 8, 9, 10, 11 EX S12', BLK 18 CENTER JUNCTION	\$322.80 Services billed September 1, 2020 through November 30, 2020

The Auditor met with the Board to provide an update on various county and facility related matters.

The Land Use Administrator met with the Board to discuss the final consideration of the repeal and replace of the Jones County Zoning Ordinance and to provide an update on current nuisance issues and complaints.

Moved by Schlarmann seconded by Swisher to approve the final consideration of, and to adopt, pass, and publish, Jones County, Iowa Ordinance 2021-01, an ordinance to replace Chapter 3, Jones County Zoning Ordinance of Title VI-Property & Land Use with a new Chapter 3, Jones County Zoning Ordinance of Title VI-Property & Land Use. On roll call vote: Schlarmann aye, Swisher aye, Rohwedder aye, Zirkelbach aye, Oswald aye, whereupon the Chairman declared the ordinance adopted.

JONES COUNTY IOWA ORDINANCE 2101-01

An ordinance amending the code of ordinances of the County of Jones, State of Iowa.

Be it enacted by the Board of Supervisors of Jones County, Iowa as follows:

Section 1: The purpose of this ordinance is to replace CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE with a new CHAPTER 3, JONES COUNTY ZONING ORDINANCE OF TITLE VI – PROPERTY & LAND USE.

Section 2: The complete ordinance may be inspected at the Jones County Auditor's Office during normal business hours of 8:00 a.m. to 4:30 p.m. or online at www.jonescountyiowa.gov/land-use. The Chapter summary of changes is amended as follows and includes an updated official zoning map.

- ARTICLE II GENERAL – Section 2. Overview - Add A2 - Agricultural and PD – Planned Development Districts. Section 6. Exemptions – Add item D. addressing boundary line corrections.
- ARTICLE III DEFINITIONS – Section 2. Added definitions for boundary corrections, quarry and extraction uses, residential type housing, and value added agricultural products.
- ARTICLE IV GENERAL REGULATIONS AND PROVISIONS – Section 2. Change reference to Article XI – Auxiliary and Seasonal Dwelling Units instead of the definition. Section 5. Incorporate an electronic map. Add a new Section 6. which references all territory that becomes part of the unincorporated Jones County.

- **ARTICLE V ZONING DISTRICTS –**
 - Section 1. Agricultural B. 6. Clarify Farmland and Farmstead Splits for residential purposes. Section D. Change Wind Energy Conversion Systems, add Value Added Agricultural Products, and Quarry and Extraction Uses as Special Permitted Uses. Add non-utility scale solar as a permitted accessory use. Section E. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary.
 - Section 2. Adds provisions for an A2 - Agricultural District to accommodate Wind Energy Conversion Systems (WECS) over 100 KW and Utility Scale Solar Energy Systems (SECS). Renumbers subsequent sections.
 - Section 3. D. 7. Residential – addition to allow Wind Energy Conversion Systems less than 100 KW. Section E. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary. New subsection J. to allow for Unincorporated Village exemptions to allow a reduced setback and lot size under certain circumstances within an unincorporated village.
 - Section 4. RMH - Residential Manufactured Housing – Section E. remove wind turbine provisions. Section G. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary.
 - Sections 5. and 6. C1 Commercial and C2 - Highway Commercial – added provisions to allow Communication Towers, Wind Energy Conversion Systems less than 100 KW and Value Added Agricultural Products. Section E. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary.
 - Sections 7. and 8. I1 and I2 Industrial – added provisions for Quarry and Extraction Uses, Communication towers, Wind Energy Conversion Systems as either Permitted or Special Permitted Uses. Section E. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary.
 - Section 9. P-Public Section D. District Regulation chart has been incorporated into an appendix and subsequent Articles renumbered as necessary.
 - Section 11. PD-Planned Development District – This is a new district intended to provide flexibility in mixed-use site development, which can incorporate both residential and light commercial uses.
- **ARTICLE X QUARRY AND EXTRACTION USES** is a new article to allow for quarries, sand pits and extraction uses as a Permitted Use or a Special Permitted Use in certain districts.
- **ARTICLE XIV WIND TURBINE AND COMMUNICATION TOWER REQUIREMENTS** removes the Wind Turbine provision section and is renamed **COMMUNICATION TOWER REQUIREMENTS**. Other small changes includes requesting an engineered certificate for co-location and changing the tower painting to orange.
- **ARTICLE XV WIND ENERGY CONVERSION SYSTEMS (WECS)** is a new article to allow for large wind farm projects in applicable districts and has a process to allow for small wind units also. Subsequent Articles have been renumbered.
- **ARTICLE XVI SOLAR ENERGY CONVERSION SYSTEMS (SECS)** is a new article to allow for siting and design of solar energy, including non-utility and utility scale solar installations.
- **ARTICLES XVII and XVIII** have been added for future use.

- ARTICLE XIX LIGHTING REQUIREMENTS – Add International Dark-Sky Association (IDA) examples of approved lighting – see Appendix B.
- ARTICLE XX SIGN REQUIREMENTS – Section 2. Definitions – added a definition of a Wall Sign. Section 3. C. 2. Added wall signage for the Residential Districts. Section 3. C. 3., 4., 5. Commercial and Industrial Districts – Increases the size and height and allows for flexibility with the signage in the C1 Commercial, C2 Highway Commercial and Industrial Districts.
- ARTICLE XXIV BOARD OF ADJUSTMENT – Section 5. Change verbiage to match the Code of Iowa, add Section 7. Petition to Court to also match the Code of Iowa.
- ARTICLE XXV PROCEDURE TO REQUEST VARIANCE OR EXCEPTION - Section 11. Review by Board of Supervisors – revise to conform with Iowa Code 335.10
- ARTICLE XXVI ADMINISTRATION AND ENFORCEMENT – Section 4. Zoning District Map – the map will be made available electronically as well as in paper format.

Section 3. Penalty

This Ordinance is enforceable against titleholders of the property, whether that title is held by deed or contract, and against any other individual in lawful possession of the property.

A violation of this Ordinance shall constitute a county infraction which shall be punishable by a civil penalty in an amount not to exceed that allowed by Iowa Code Section 331.307 (1.), as now or hereafter amended. Alternatively, or in addition to, constitution of a county infraction, a person found in violation of this Ordinance may be guilty of a simple misdemeanor, and on conviction thereof be subject to such maximum penalty as the law allows in Iowa Code Section 903.1, as now or hereafter amended. Each day that a violation occurs or is permitted to exist by the respondent/defendant constitutes a separate offense.

In addition to any civil penalty imposed for violating this Ordinance, a court may grant appropriate relief to abate or halt the violation, including all of the options available pursuant to Iowa Code Section 331.307, as now or hereafter amended.

Section 4. When Effective

This ordinance shall be in full force and effect from and after its final passage, approval, and publication as provided by law.

The Engineer met with the Board to present the Five-Year Road Construction Program as approved on February 16, 2021 in the Iowa DOT required format, discuss possible letting for the resurfacing of 75th Avenue, and discuss the winter snow removal budget.

The Board and Auditor further discussed the proposed levy rates, FY22 County budget, and the proposed FY21 County budget amendment.

The Board members provided brief updates on past and upcoming committee meetings.

Moved by Schlarmann seconded by Swisher to adjourn at 11:16 a.m. All aye. Motion carried.

Attest: Whitney Hein, Auditor

Joe Oswald, Chairman